

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re: BKY No. 24-43428
Isabel Cristina Vilbrandt Medeiros, Ch. 13
Debtor.

**NOTICE OF HEARING AND MOTION
TO WITHDRAW AS ATTORNEY OF RECORD AND TO CONTINUE
HEARING ON CLAIM OBJECTION; MEMORANDUM OF LAW**

TO: The Debtor, Chapter 13 Trustee, United States Trustee, and to other entities specified in Local Rule 9013-3.

1. Jeffrey H. Butwinick moves the Court for the relief requested below and gives notice of hearing.
2. The Court will hold a hearing on this MOTION TO WITHDRAW AS ATTORNEY OF RECORD AND TO CONTINUE HEARING ON CLAIM OBJECTION at 9:30AM on Wednesday, July 23rd, 2025, before the Honorable William J. Fisher, United States Bankruptcy Court Judge, at Courtroom 2B, 316 North Robert Street, St. Paul, Minnesota, 55101.
3. Parties may file a response to this motion at any time prior to the hearing. Pursuant to Fed. R. Bankr. P. 9006(d), any opposing affidavit must be filed and served at least one day before the hearing. UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY FILED, THE COURT MAY GRANT THE MOTION WITHOUT A HEARING.
4. The court has jurisdiction over this motion pursuant to 28 U.S.C. Sec.

157 and 1334, Fed. R. Bank. P. 5005 and Local Rule 9001 et seq. This proceeding is a core proceeding. The petition commencing this case was filed on December 13, 2024.

RELIEF REQUESTED

Counsel requests that the Court:

5. Grant leave to withdraw as attorney of record for the debtor pursuant to Local Rule 9010-3(e)(2); and
6. Continue the hearing on Debtor's Objection to Claim No. 6 (filed by Staring Lake Village Home Association, Inc.), currently scheduled for July 23, 2025, to a date no earlier than August 23, 2025, to permit the debtor to obtain substitute counsel or prepare to appear pro se.

MEMORANDUM OF LAW

7. Withdrawal is appropriate under Local Rule 9010-3(e)(2) where an irreconcilable breakdown in the attorney-client relationship renders continued representation unworkable

8. Jeffrey H. Butwinick, attorney for debtor, hereby moves the Court for permission to withdraw as attorney of record pursuant to Local Rule 9010-3(e)(2), and states in support the following:

- An irreconcilable breakdown in the attorney-client relationship has occurred, such that continued representation is no longer feasible or appropriate.
- The debtor and counsel have fundamental disagreements regarding case strategy and scope of representation.

- Counsel has taken reasonable steps to notify the debtor of the intent to withdraw and has provided sufficient opportunity for the debtor to obtain substitute counsel.
- Continued representation would place counsel in an ethical conflict and impair the administration of justice.

Counsel makes this request in good faith, without intending to prejudice the debtor or her legal position in this matter. Counsel affirms that no confidential information is disclosed through this motion, and that this withdrawal request is based solely on general professional considerations under the Rules of Professional Conduct. Out of respect for the attorney-client privilege, no further detail is provided.

9. Counsel further states that all services rendered to the debtor in this matter have been provided diligently, competently, and in good faith.

Notwithstanding the foregoing, and solely as a gesture of professional courtesy, Counsel hereby waives any unpaid attorney's fees incurred in connection with this representation. This waiver is extended in the interest of minimizing further financial burden on the debtor and does not reflect any deficiency in the services rendered or the value of the representation provided.

10. Additionally, Counsel requests that the hearing on the debtor's Objection to Claim No. 6, currently scheduled for July 23, 2025, be continued for at least 30 days to allow the debtor an opportunity to obtain substitute counsel or prepare to proceed pro se. The objection raises complex legal and factual issues, and proceeding unrepresented could expose the debtor to additional financial

liability under applicable state law.

WHEREFORE,

Counsel respectfully requests entry of an Order:

1. Granting leave Jeffrey H. Butwinick to withdraw as attorney of record;
2. Continue the July 23, 2025 hearing on the Debtor's Objection to Claim No. 6
for at least 30 days;
3. Directing the Debtor to appear pro se or retain new counsel and file a notice of
appearance within 21 days of the Order; and
4. Granting such further relief as the Court deems just and appropriate.

Dated: July 11, 2025

/e/ Jeffrey H. Butwinick
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DISTRICT OF MINNESOTA**

In re: BKY No. 24-43428
Isabel Cristina Vilbrandt Medeiros, Ch. 13
Debtor.

**ORDER ON MOTION TO
WITHDRAW AS ATTORNEY OF RECORD
AND CONTINUE HEARING ON CLAIM OBJECTION**

At St. Paul, Minnesota, July 23rd, 2025

This matter came before the Court on Counsel's motion to withdraw. Based in the file, record and proceedings.

IT IS ORDERED:

1. The Motion to Withdraw as Attorney of Record is hereby **GRANTED**.
2. Jeffrey H. Butwinick is hereby withdrawn as counsel of record for Isabel Cristina Vilbrandt Medeiros.
3. Isabel Cristina Vilbrandt Medeiros shall appear pro se or retain new counsel and ensure that a notice of appearance is filed with the Court within 21 days of the date of this Order.
4. The July 23, 2025, hearing on the Debtor's Objection to Claim No. 6 is continued for at least 30 days;
5. The Clerk shall update the Court's records accordingly.

Dated: _____

William J. Fisher
United States Bankruptcy Judge

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CERTIFICATE OF SERVICE

I hereby certify that on July 11, 2025 a copy of the **NOTICE OF HEARING AND MOTION TO WITHDRAW AS ATTORNEY OF RECORD AND TO CONTINUE HEARING ON CLAIM OBJECTION; MEMORANDUM OF LAW** was served by ECF or First Class Mail to all interested parties listed below:

Isabel Cristina Vilbrandt Medeiros
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Eden Prairie, MN 55347

Gregory A. Burrell - cmecfjzkmn@ch13mn.com

US Trustee - ustpregion12.mn.ecf@usdoj.gov

Dated: July 11, 2025

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